



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTON  
ATTORNEY GENERAL

July 19, 1990

Ms. Cynthia Milne  
Assistant General Counsel  
Texas Department of Banking  
2601 N. Lamar Blvd.  
Austin, Texas 78705-4294

OR90-309

Dear Ms. Milne:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9872.

You received a request for information relating to a trust charter application. You consider the information to be excepted from public disclosure under section 3(a)(1) of the act, as information deemed confidential by law, specifically article 342-305(B) of the Texas Banking Code. Under that article, you seek to withhold the verified statement of subscribers to stock and the individual financial statements of proposed officers and directors.

Article 342-305(B) provides for the confidentiality of the verified statement of subscribers to stock prior to final determination by the board of the application for a charter, unless the board finds that disclosure of such information prior to a public hearing is necessary to the full development of the factual record. Article 342-305(F) provides for the confidentiality of the financial statements of a proposed officer or director. Accordingly, you may withhold the information at issue here.

As the information is clearly within the confidentiality provisions of article 342-305, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-309.

Yours very truly,

*David A. Newton by S.G.*

David A. Newton  
Assistant Attorney General  
Opinion Committee

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Ref.: ID# 9872, 9861, 9942

cc: L.M. Sixel  
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